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ZIA, SYED				
ART UNIT		PAPER NUMBER		
2431				
NOTIFICATION DATE		DELIVERY MODE		
11/25/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary

Application No.

10/532,541

Applicant(s)

UTIN, DANIIL

Examiner

SYED ZIA

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This office action is in response to amendment and remarks filed on July 6, 2009. The amendments filed on July 15, 2009 have been entered and made of record. Claims are 1-10 are pending for further consideration.

Response to Arguments

Applicant's arguments filed on July 6, 2009 have been fully considered but they are not persuasive because of the following reasons:

Regarding Claims 1-10 applicants argued that the cited prior arts (CPA) [Challener et al. (U. S. Patent 6,718,468)] does not describe "*generating a key from a user-supplied unencrypted password,*" and "*encrypting the user's password with the key*".

This is not found persuasive. The system of cited prior art teaches a associating method in computer system to associate password and secured user public/private key pair, which involves accessing user private key using primary/secondary phase phrases for performing authentication function. After encrypting established user private key with random password, primary/secondary passwords are generated by hashing the primary/secondary pass phrases. The user private key is accessed using primary/secondary phase phrases, for performing

authentication function, after performing encryption of random password with the generated primary/secondary passwords, respectively (col. 3 line 55 to col.5 line 24).

As a result, cited prior art does implement and teach a system that relates to generating of password-encrypted key form a user-supplied password and stored in a temporary storage to maintain an access to a secure network communications and access a network (Fig.2a-2b).

Applicants clearly have failed to explicitly identify specific claim limitations, which would define a patentable distinction over prior arts.

The examiner is not trying to teach the invention but is merely trying to interpret the claim language in its broadest and reasonable meaning. Therefore, the examiner asserts that cited prior art does teach or suggest the subject matter broadly recited in independent Claims and in subsequent dependent Claims. Accordingly, rejections for claims 1-10 are respectfully maintained.

Claim Rejections - 35 USC § 101

Applicant amended the Claims; therefore, previous under 35 U.S.C. 101 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Challener et al.
(U. S. Patent 6,718,468).

1. Regarding Claim 1, Challener teach and describe a computer-implemented method for a secure transaction, comprising generating a key from a user-supplied unencrypted password, encrypting the user's password with the key, creating a user record, storing the encrypted password in the user record (col.4 line 7 to col.5 line 24)..
2. Regarding Claim 7 Challener teach and describe a computer-executable program residing on a computer, the execution of the program causing the computer to: generate a first encryption key from user-supplied identification data, encrypt the user's identification data with the first key, create a user record and, store the encrypted identification data in the user record (col.4 line 7 to col.5 line 24).
3. Claims 2-6, and 8-10 are rejected applied as above rejecting Claims 1 and 7.
Furthermore, Challener teach and describe a system and method of security and user authentication, wherein:

As per Claim 2, further comprising upon user login, generating a key from a would-be user's password using the same algorithm used to generate the key from the originally supplied

unencrypted password, retrieving the corresponding user record, decrypting the encrypted password in the user record using the key, comparing the decrypted password with the would-be user-supplied password to see if they match (col.4 line 7 to line 63).

As per Claim 3, further comprising if the decrypted password and user-supplied password match, creating a temporary session record and storing the key in the session record, otherwise aborting the user login (col.4 line 43 to line 63).

As per Claim 4, further comprising encrypting other sensitive user data using the key and storing the encrypted data in the user record, during a session wherein a session record has been created, using the key stored in the session record to decrypt other encrypted information stored in the user record for use in carrying out some desired action (col. 3 line 55 to col.4 line 7, and col.4 line 66 to col.5 line 24)..

As per Claim 5, further comprising generating a public/private key pair, storing the public key on an application server and the mating private key only another server, encrypting the original user-supplied unencrypted password with the public key and storing the public-key encrypted password on the application server and, fetching the private key from the other server and using it to decrypt selected information on the application server (col.4 line 7 to col.5 line 24)..

As per Claim 6, further wherein the other server is a secure off-site server (col.4 line 7 to line 30).

As per Claim 8, further comprising upon user login, generate a second key from a would-be user's identification data supplied at login using the same algorithm used to generate the first key from the originally supplied unencrypted identification data, retrieve the corresponding user

record, decrypt the encrypted identification data in the user record using the second key, compare the decrypted identification data with the would-be user-supplied identification data to see if they match (col.4 line 7 to line 63).

As per Claim 9, further comprising if the decrypted identification data and user-supplied identification data match create a temporary session record and storing the second key in the session record, otherwise aborting the user login (col.4 line 42 to line 63).

As per Claim 10, further comprising encrypt other sensitive user data using the first key and storing the encrypted data in the user record, and during a session wherein a session record has been created, using the second key stored in the session record to decrypt other encrypted information stored in the user record for use in carrying out some desired action (col. 3 line 55 to col.4 line 7, and col.4 line 66 to col.5 line 24).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED ZIA whose telephone number is (571)272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sz
November 19, 2009
/Syed Zia/
Primary Examiner, Art Unit 2431